

Sally LaCross - Fwd: ADM file No. 2009-11 June 30, 2009

From: Clerk Info
To: LaCross, Sally
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Subject: Fwd: ADM file No. 2009-11 June 30, 2009

>>> "Roberts Kengis" <RKengis@ALLEGANCOUNTY.ORG> 8/24/2009 4:34 PM >>>

I am writing to comment on, and oppose the amendment of MCR 6. 302(c) to require all discussions about a defendant's plea to occur on the record. Frequently prosecutors and defense attorneys discuss things that a victim, witness, or defendant would not want revealed to the general public. One example which happens frequently is discussions regarding a defendant's cooperation with police regarding other investigations. If these discussions occurred in open court other people and defendants would hear which defendants are working with the police, and that could lead to very dangerous situations for the defendant. Along the same lines, frequently attorneys have to discuss information that crime victims and witnesses would view as being sensitive and private. These things are best discussed by the lawyers in private, and later revealed to the defendant by his lawyer, also in private.

In short I believe this amendment would put defendants at risk, and would prevent frank and honest discussion between lawyers, thus hampering our goal of seeking justice in every case.

Sincerely,

Roberts Kengis
Assistant Prosecuting Attorney
Allegan County, Michigan